

Merit Systems Protection Board

§ 1205.21

and some item of information in the record that only the requester would be likely to know.

(c) *Parents of minors, legal guardians, and representatives.* Parents of minors, legal guardians, and representatives must submit identification under paragraph (a) or (b) of this section. Additionally, they must present an authenticated copy of:

- (1) The minor's birth certificate, and
- (2) The court order of guardianship, or
- (3) The agreement of representation, where appropriate.

§ 1205.14 Granting access.

(a) The Board may allow a requester to inspect records through either of the following methods:

(1) It may permit the requester to inspect the records personally during normal business hours at a Board office or other suitable Federal facility closer to the requester; or

(2) It may mail copies of the records to the requester.

(b) A requester seeking personal access to records may be accompanied by another individual of the requester's choice. Under those circumstances, however, the requester must sign a statement authorizing the discussion and presentation of the record in the accompanying individual's presence.

§ 1205.15 Denying access.

(a) *Basis.* In accordance with 5 U.S.C. 552a(k)(2), the Board may deny access to records that are of an investigatory nature and that are compiled for law enforcement purposes. Those requests will be denied only where access to them would otherwise be unavailable under Exemption (b)(7) of the Freedom of Information Act.

(b) *Form.* All denials of access under this section will be made in writing and will notify the requester of the right to judicial review.

§ 1205.16 Fees.

(a) No fees will be charged except for making copies of records.

(b) Photocopies of records duplicated by the Board will be subject to a charge of 10 cents a page.

(c) If the fee to be assessed for any request is less than \$25 (the cost to the

Board of processing and collecting the fee), no charge will be made to the requester.

(d) Fees for duplicating audio tapes and computer records will be charged at a rate representing the actual costs to the Board, as those costs are shown below.

(1) Audio tapes will be provided at a charge of \$5.75 for each cassette tape.

(2) Computer printouts will be provided at a charge of 1 cent a page.

(3) Records reproduced on magnetic computer tapes will be provided at a charge of \$21 a tape.

(4) Records produced on computer diskettes will be provided at a charge of \$2.70 a diskette.

(e) If duplication costs exceed \$25, the Board will notify the requester of the estimated amount before copying the records.

(f) When the Board determines that charges for a request are likely to exceed \$250, it will require the requester to pay the entire fee before it continues to process the request.

(g) The Board will provide one copy of the amended parts of any record it amends free of charge as evidence of the amendment.

Subpart C—Amendment of Records

§ 1205.21 Request for amendment.

A request for amendment of a record must be submitted to the director of the appropriate regional office, or to the Office of the Clerk of the Board, U.S. Merit Systems Protection Board, 1120 Vermont Avenue NW., Washington, DC 20419, depending on which office is maintaining the record. The request must be in writing, must be identified conspicuously on the outside of the envelope and the letter as a "PRIVACY ACT REQUEST," and must include the following information:

(a) An identification of the record to be amended;

(b) A description of the amendment requested; and

(c) A statement of the basis for the amendment, along with supporting documentation, if any.